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REMARKS

The Applicants wish to thank the Examiner for the careful consideration of the application.

Claims 1 – 21 were in the application. Claims 1, 10, 15, 16, 17, 18, 19, 20, and 21 were rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over US Patent No. 6,549,654 (Kumada) in view of US Patent No. 5,668,636 (Beach et al.). Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kumada in view of Beach, and further in view of US Patent No. 5,668,636 (Lloyd et al.). Claims 3, 4, 5, 6, and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kumada in view of Beach, and further in view of US Patent No. 6,268,930 (Ohta et al.). Claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kumada in view of Beach, and further in view of US Patent No. 6,646,762 (Balasubramanian et al.). Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kumada in view of Beach, and further in view of US Patent 6,757,071 (Goodman et al.). Claims 11 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kumada in view of Beach, and further in view of US Patent No. 5,806,081 (Swen et al.). Claim 13 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kumada in view of Beach, and further in view of US Patent No. 6,693,718 (Takaoka). Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kumada in view of Beach, and further in view of US Patent No. 6,633,400 (Sasaki et al.).

Claim 1 has been amended to essentially incorporate the limitations of claim 2, and to indicate that the color maps correspond to the device colors of candidate printers; claim 2 has been canceled. Claims 15 – 21 have also been canceled, and new claim 22 has been added. The rejections under 35 U.S.C. §103(a) as applied to the amended claims are respectfully traversed.

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Discussion**The Standard Under 35 U.S.C. §103(a)**

"(A) The claimed invention must be considered as a whole; (B) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination; (C) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention; and (D) Reasonable expectation of success is the standard with which obviousness is determined. *Hodosh v. Block Drug Co., Inc.*, 786 F.2d 1136, 1143 n.5, 229 USPQ 182, 187 n.5 (Fed. Cir. 1986)." MPEP 2141.

As amended, independent claim 1 includes the limitations of canceled claim 2. New independent claim 22 also includes the limitations of both claim 1 and canceled claim 2, and more narrowly defines an embodiment of the invention. In rejecting claim 2 under 35 U.S.C. §103(a), the Examiner has identified individual elements of the claim in Kumada, Beach et al., and Lloyd et al., and then indicates that the cited references are combinable "because they are all in the similar problem area of color printing." The Examiner then states:

"At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the method of using sensor as taught by Lloyd et al in the system of Kumada in view of Beach et al to implement a precise color printing system.

"The motivation to combine the reference is clear because Lloyd et al teaches that the sensors are used for self-calibration of the printing system (column 6, lines 9-12)."

The Applicants believe that these remarks by the Examiner are conclusory, and the result of viewing the invention with hindsight. Specifically, the invention as reflected in the amended claims is a complete method and system for obtaining

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information regarding the color gamut capabilities of two or more printers on a network and determining which of those printers is best suited for printing a particular color document. None of the references cited by Examiner suggest this overall method and system of the invention, and to mentally construct such a system from the individual elements found in the references is to engage in impermissible hindsight.

The Applicants concede that using sensors in a media path of a printing system to self-calibrate the printing system is known; however, the Applicants respectfully argue that obtaining information from sensors in multiple printers to determine which printer "device colors" are a best match for a particular document is not known. The advantage provided by the methods of the present invention is that a simple and quick determination can be made regarding which printer is best suited for printing a particular document. The cited references do not suggest or teach such a method and system. As stated in the Overview of the DETAILED DESCRIPTION of the application:

"The document-to-printer gamut matching system may provide the author of the document with a number of candidate printers best matched to the printing of the document depending on the rendering intent of the author; e.g. absolute colorimetric, perceptual- or saturation-based rendering intent. Alternatively, the gamut matching system may select a printer based on an algorithm or an expert system. If no gamut is sufficiently close to the document's requirements, a printer having characteristics most easily modifiable to the requirements of the document may be selected, and a custom color map may be generated to result in a color output that is satisfactory."
[page 7, lines 17 – 25].

The claims remaining in the application (namely, claims 1, 3 – 14, and 22) now all include the limitations of canceled claim 2. The Applicants believe the claims as amended herein more correctly reflect the subject matter that the Applicants regard as the invention. The Applicants also believe that application is now in condition for allowance, and favorable action by the Examiner is respectfully requested.

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Respectfully submitted,

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